10/01:8887

# JC10 Rec'd PCT/PTO 2 8 FEB 2002

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Milos LAPCEVIC

I.A. Appln. No. PCT/AU0/00725

Nationalized Date: December 26, 2001

For: COLOSTOMY PUMP DEVICE

PCT BRANCH

I.A. Filing Date: June 26, 2000

Washington, D.C.

Atty.'s Docket: LAPCEVIC=1

Date: February 28, 2002

JUN - 7 2002

TECHNOLOGY CENTER R3700

RECEIVED

OR

OR

THE COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

Sir:

Transmitted herewith is a [X] PRELIMINARY : AMENDMENT in the above-identified application.

- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. 1

[XX] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 38	MINUS	** 113	0
INDEP.	2	MINUS	*** 3	0
FIRST PR	ESENTATION OF I	MULTIPLE	DEP. CLAIM	-

L

SMALL ENTITY

OTHER THAN SMALL ENTITY ADDITIONAL \$ 18 84 \$ 280 \$ TOTAL \$

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

tt is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity	Other Than Small Entity
Response Filed Within	Response Filed Within
[ ] First - \$ 55.00	[ ] First - \$ 110.00
[ ] Second - \$ 200.00	[ ] Second - \$ 400.00
[ ] Third - \$ 460.00	[ ] Third - \$ 920.00
[ ] Fourth - \$ 720.00	[ ] Fourth - \$ 1440.00
Month After Time Period Set	Month After Time Period Set

- Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of §.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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FEB 2 8 2002

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECHNOLOGY CENTER R3700

LAPEVIC=1 ATTY.'S DOCKET:

PCT Branch In re Application of: Milos LAPCEVIC I.A. No.: PCT/AU00/00725 Nationalized: December 26, 2001) Washington, D.C. I.A. Date: June 26, 2000 For: COLOSTOMY PUMP DEVICE February 28, 2002

### PRELIMINARY AMENDMENT

Honorable Commissioner for Patents Washington, D.C. 20231

Sir:

Prior to examination of the present application, please amend as follows:

## IN THE CLAIMS

Delete claims 4-7, 11-15; 18-25; 28-36; 45, 46, 48, 52, 54-56; 59-69, 71-75 and 79, without prejudice.

Please amend the claims by rewriting claims 2, 8, 16, 41, 49, 50, 53 and 70 in amended form as follows (attached hereto is a marked-up version of the changes made to the claims by the current amendment captioned "Version with

Markings to Show Changes Made"):

(Amended) A device for evacuating waste 2. product through an orifice in a mammalian body, the device including a chamber having an inlet and an outlet, the inlet